

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
AT GREENEVILLE**

<b>SAMUEL NUNLEY,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 2:11-CV-138</b>
	)	
<b>HOUCHENS FOOD GROUP, INC.</b>	)	<b>Judge Greer</b>
<b>d/b/a WHITE'S IGA,</b>	)	
	)	
<b>Defendant.</b>	)	

**STIPULATION OF DISMISSAL WITH PREJUDICE**

The parties herein, by and through counsel, hereby announce to this Honorable Court that all matters in controversy have been fully resolved between the parties. The parties agree that this case should be dismissed with full prejudice as to the refiling of this action and as to any and all actions which have arisen to date out by and between Plaintiff, Samuel Nunley, and Defendant, Houchens Food Group, Inc., d/b/a White's IGA. The parties further agree that all of the Plaintiff's claims brought or which could have been brought against Defendant are dismissed with prejudice.

The parties further agree that each party shall be responsible for its/his own costs and attorneys' fees associated with this action.

RESPECTFULLY SUBMITTED:

s/ Charlton R. DeVault, Jr.  
Charlton R. DeVault, Jr., TN BPR 000428  
Attorney for Plaintiff  
102 Broad Street  
Kingsport, Tennessee  
(423) 246-3601  
[crdevault@charter.net](mailto:crdevault@charter.net)

s/ Kelly A. Campbell  
Kelly A. Campbell, TN BPR 013146  
Attorney for Defendant  
Wimberly Lawson Seale Wright & Daves,  
PLLC  
929 W. 1<sup>st</sup> North Street  
Morristown, Tennessee  
(423) 587-6870  
[kcampbell@wimberlylawson.com](mailto:kcampbell@wimberlylawson.com)